

RULES GOVERNING COURT REPORTING IN THE STATE OF HAWAI‘I

**Adopted and Promulgated by
the Supreme Court
of the State of Hawai‘i**

**February 28, 1994
With Amendments as Noted**

**The Judiciary
State of Hawai‘i**

RULES GOVERNING COURT REPORTING IN THE STATE OF HAWAII

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**RULES GOVERNING COURT REPORTING
IN THE STATE OF HAWAII**

Rule 1. SCOPE OF RULES.

The examination, certification and regulation of the practice of court reporting are matters that are integrally related to the effective, impartial and prompt operation of the judicial system of the State of Hawai'i. The examination, certification and supervision of the conduct and proficiency of court reporters is hereby made subject to regulation by rule of the supreme court. Nothing in these rules shall be construed to limit the contempt powers of the courts of this state.

(Amended April 25, 2003, effective July 1, 2003.)

Rule 2. CERTIFICATION OF COURT REPORTERS.

(a) No person shall engage in the verbatim reporting of trials or judicial proceedings in any of the courts of the State of Hawai'i, nor shall any person engage in the taking of oral depositions, for use in the courts of this state, unless such person shall possess a certificate as a Hawai'i certified shorthand reporter issued by the supreme court through the Hawai'i Board of Certified Shorthand Reporters.

(b) Unless specifically exempted by order of the supreme court, no verbatim transcripts or recording of any trial or judicial proceeding in any of the courts of the State of Hawai'i, nor any transcripts or recordings of any oral depositions taken in Hawai'i, for use in the courts of this state, shall be accepted for filing unless signed and certified by a Hawai'i certified shorthand reporter.

(c) Unless specifically exempted by order of the supreme court, no transcripts of depositions upon written interrogatories shall be accepted for filing unless signed and certified by a Hawai'i certified shorthand reporter certifying that same were taken under his or her direction and control.

(d) Unless specifically exempted by order of the supreme court, no videotape depositions shall be accepted for filing unless accompanied by a written transcript of the proceedings prepared, signed, and certified by, a Hawai'i certified shorthand reporter.

(e) The form of certification required shall be established by the Hawai'i Board of Certified Shorthand Reporters. This rule shall not apply to

depositions taken and transcribed outside of the State of Hawai'i.

(f) Any person to whom a certificate is issued shall use the title "Certified Shorthand Reporter" or the abbreviation "CSR" with the reporter's identification number upon the certification of any transcript. Violation of this rule shall be subject to such sanctions as the court deems appropriate.

(Amended January 16, 1991, effective January 16, 1991; further amended November 10, 1992, effective November 10, 1992; further amended April 25, 2003, effective July 1, 2003.)

Rule 3. BOARD OF CERTIFIED SHORTHAND REPORTERS.

In order to supervise the examination, certification, and conduct of court reporters engaged in reporting matters before the courts of this state or for use therein, the Hawai'i Board of Certified Shorthand Reporters is hereby created. The board shall be composed of six persons, at least one of whom shall be from an island other than O'ahu, appointed as follows:

(a) one member appointed by the Executive Board of the Hawai'i State Bar Association who is a licensed attorney in good standing in this state;

(b) one member appointed by the Hawai'i Supreme Court who is a member of the administrative director's staff of the state court system;

(c) two members appointed by the Hawai'i Supreme Court who are Hawai'i certified shorthand reporters from the official sector; and

(d) two members appointed by the Hawai'i Supreme Court who are Hawai'i certified shorthand reporters from the freelance sector.

(Amended April 25, 2003, effective July 1, 2003.)

Rule 4. TERMS OF BOARD MEMBERS; NOTIFICATION OF VACANCY.

The members of the board shall hold office for staggered terms of three years. Vacancies occurring in the board shall be filled in the same manner as other appointments to the board. An appointee to fill a vacancy shall serve during the unexpired portion of the term of the member replaced. The board shall notify the supreme court when a vacancy occurs.

(Amended April 25, 2003, effective July 1, 2003.)

Rule 5. OFFICERS OF BOARD; QUORUM.

The board shall elect a:

- (1) Chair;
- (2) Vice chair;
- (3) Secretary, and
- (4) Treasurer.

A majority of the board shall constitute a quorum.

(Amended April 25, 2003, effective July 1, 2003.)

Rule 6. COMPENSATION.

Members of the board shall be paid \$10 per day per meeting and shall be reimbursed for the actual expenses incurred by the board member in the performance of such duties. "Meeting" shall include committee meetings approved by the board, meetings between off-island members and the board secretary for board purposes, and appointments with Supreme Court Justices and staff.

(Amended November 10, 1992, effective November 10, 1992; further amended April 25, 2003, effective July 1, 2003.)

Rule 7. RECORDS OF THE BOARD.

The board shall keep a record of its meetings and all official action taken by the board and shall maintain such record for at least seven years. In addition, the board shall maintain a register of all applicants for certification. The records of the meetings of the board, of official action taken by the board, and the register of the applicants for certification shall be maintained at the board office.

(Amended April 25, 2003, effective July 1, 2003.)

Rule 8. DUTIES OF THE BOARD.

(a) Rulemaking. The Hawai'i Board of Certified Shorthand Reporters shall have the authority to propose for consideration by the supreme court reasonable rules and regulations governing the practice of court reporting within the State of Hawai'i, including rules and regulations for (i) testing, certification, and supervision of certified shorthand reporters, (ii) governing the conduct of Hawai'i certified shorthand reporters, and (iii) discipline, censure, suspension, or revocation of certification.

(b) Testing. The board shall prepare and administer appropriate examinations for all applicants for certification as Hawai'i certified

shorthand reporters to insure that the applicants have reasonable proficiency in making verbatim records of judicial or related proceedings.

(c) Collection and Use of Fees. The board shall: (i) collect from every applicant or reporter the appropriate application and renewal fees required under Rules 13(a) and 13(c); (ii) produce an annual budget for the expenditure of those funds; (iii) develop appropriate financial policies for the management of such funds; (iv) maintain exclusive control and responsibility over all financial transactions involving such funds; and (v) develop and maintain accounting records showing receipt and disposition of such funds, which records shall be subject to audit. The board may expend funds to carry out its duties under these rules, to pay for expenses authorized by these rules, and to pay for seminars for board members that are related to the duties of board members and approved by a justice of the supreme court.

(d) Discipline. The board shall make appropriate findings and recommendations to the Hawai'i Supreme Court for discipline, censure, suspension, or revocation of certification of Hawai'i certified shorthand reporters. Board hearings shall be held in accordance with Rule 10.

(e) Notice. The board shall notify a Hawai'i certified shorthand reporter in writing of the expiration date of certification at least sixty (60) days prior to that expiration date. Correspondence shall be mailed to the last known mailing address of the certified shorthand reporter. Failure to receive notice does not exempt the reporter from the requirement to renew certification by the appropriate date.

(Amended effective February 27, 1989; further amended May 4, 1994, effective May 10, 1994; further amended November 17, 1995, effective March 18, 1996; further amended April 25, 2003, effective July 1, 2003.)

Rule 9. CERTIFICATION PROCEDURES.

Rule 9.1. APPLICATION FOR CERTIFICATION; RENEWAL OF CERTIFICATION; RECIPROCITY; CHANGE OF ADDRESS.

(a) Form. The form of application for certification shall be as shown by Form 1. No other form of application shall be accepted by the board.

(b) Qualifications. Prior to the issuance of a certificate as a Hawai'i reporter, an applicant must meet the following minimum qualifications:

- (1) Be of good moral character;
- (2) Possess a certificate or diploma evidencing graduation from high school, GED certificate or equivalent;
- (3) Demonstrate reasonable proficiency in making verbatim records of judicial or related proceedings. For the purpose of this rule, the applicant's demonstration of reasonable proficiency shall be determined by either (i) the applicant's ability to pass an examination for certification given by the board or (ii) proof the reporter earned the designation "Tested RPR" from the National Court Reporters' Association.
- (4) Be in compliance with these Rules Governing Court Reporting in the State of Hawai'i; and
- (5) Pay the appropriate application fee established by the board.

(c) Certificate and number. Once the applicant has met and satisfied the above qualifications, the board shall issue the applicant a certificate as a Hawai'i reporter and an identifying number.

(d) Restriction. No examinee for certification shall be allowed to use or utilize any auxiliary or secondary sound-recording device during any examination. This provision does not prohibit the use of hearing aides or similar technology designed to amplify sound as a necessary accommodation as long as the device does not record.

(e) Renewal. All persons holding a certificate as a Hawai'i certified shorthand reporter shall be responsible for applying for a renewal of that certificate and submitting the application on forms approved by the board to the board office prior to the expiration date of the certificate if that person desires to continue to engage in court reporting within the

State of Hawai'i. Upon receipt of the appropriate application, together with the renewal fee, the board shall issue a new certificate or other appropriate document evidencing that the applicant is certified as a Hawai'i certified shorthand reporter for an additional term of one year (unless the applicant is found by the board to be or to have been in violation of these rules, or in violation of any rules or regulations of the board). Any denial of renewal of certification shall be made in accordance with Rule 10.1.

(f) Maintenance. Maintenance of certification shall be dependent upon the reporter meeting continuing education requirements as set forth by the board in Rule 9.2.

(g) Change of address. Each reporter shall notify the board of any change of address within 30 days of the change.

(Amended November 10, 1992, effective November 10, 1992; further amended May 3, 1994, effective May 10, 1994; further amended April 25, 2003, effective July 1, 2003.)

Rule 9.2. MAINTENANCE OF CERTIFICATION STATUS; CONTINUING EDUCATION REQUIREMENTS.

All Hawai'i reporters shall have three years in which to acquire three Continuing Education Units (CEUs) as approved by the National Court Reporters Association. It shall be the responsibility of the certified shorthand reporter to submit substantiating documentation.

Those who initially pass the certified shorthand reporter examination in May have three years from the following June 30 to acquire the required three CEUs. Those who initially pass their certified shorthand reporter examination in November also have three years from the following June 30 to meet the requirements. A reporter may elect to have the three-year time period for obtaining credits to coincide with that of their RPR status as determined by National Court Reporters' Association. Credits earned in excess of the required credits cannot be applied to subsequent years. The reporter shall submit proof that continuing education requirements have been met. If proof is not submitted at least 30 days before the date the certificate expires, the board shall not renew the certificate until the reporter has

successfully completed the Certified Shorthand Reporter's Examination.

(Added April 25, 2003, effective July 1, 2003.)

Rule 10. FINDINGS AND RECOMMENDATIONS OF THE BOARD; DISCIPLINARY PROCEEDINGS; APPEALS.

Rule 10.1. CERTIFICATION DECISIONS.

(a) Writing Required. Board findings and recommendations to deny any certification shall be in writing and the reasons for denying the application shall be included in the decision. Such decision shall be filed with the Supreme Court Clerk's office. The finding and recommendation shall be attested by an officer of the board.

(b) Notice to Applicant. A copy of the board's decision, together with the reasons for the decision, shall be sent to the applicant by certified mail to the applicant's last known address by the board secretary within (7) days after the decision is filed with the Supreme Court Clerk's Office.

(c) Appeal from Denial of Certification. Appeal from a board decision denying certification may be taken by filing a notice of appeal with the board and/or the Supreme Court. The notice of appeal shall be filed not later than thirty (30) days after the findings and decision are filed with the supreme court.

(Added April 25, 2003, effective July 1, 2003.)

Rule 10.2. PENALTIES FOR VIOLATION OF RULES; OTHER GROUNDS FOR DISCIPLINE, CENSURE, SUSPENSION OR REVOCATION OF CERTIFICATION.

(a) Any violation of these rules, or any violation of rules and regulations promulgated by the board, shall be cause for refusal of the board to issue or renew certification to any applicant. Any willful violation of these rules, or of any rules or regulations promulgated by the board, shall be grounds for the discipline.

(b) Any of the following grounds may also be the basis for discipline, censure, suspension, or revocation of certification as a certified shorthand reporter:

(i) conviction of crime involving moral turpitude;

(ii) dishonesty occurring in the performance of duties as a reporter or in matters related to shorthand reporting;

(iii) false or deceptive advertising;

(iv) gross incompetence in the performance of duties as a reporter;

(v) participation in any incentive programs;

(vi) violation of any statute governing court reporting; or

(vii) disregard or violation of a court order.

(Added April 25, 2003, effective July 1, 2003.)

Rule 10.3. DISCIPLINE; DISCIPLINARY PROCEDURES.

(a) Discipline. Discipline may consist of the following:

(1) Written or oral reprimand;

(2) Censure;

(3) Suspension of certification for a period not to exceed one (1) year; or

(4) Revocation of certification.

(b) Confidentiality. All certified shorthand reporter disciplinary proceedings shall remain confidential until the board recommends public reprimand, revocation, or suspension of certification of a court reporter unless: (i) the respondent reporter elects in writing to make the proceedings public, or (ii) the proceedings are disclosed by the respondent reporter's actions. Records filed with the Supreme Court and any oral argument held before the Court are not confidential.

(c) Disciplinary Procedure.

(1) INITIAL INVESTIGATION AND DETERMINATION OF CAUSE TO PROCEED. All written allegations of reporter misbehavior shall be referred to the board. Such written allegations may be submitted by any person. Any board member submitting an allegation shall not participate in the board's deliberations in deciding the merits of the complaint and/or penalties; however, such board member may participate in the hearing as the complaining witness. The board shall not consider oral or anonymous allegations. At all stages of the proceedings set out hereafter, the respondent reporter may be represented by counsel.

(2) NOTICE OF ALLEGATIONS. The board shall send or deliver a copy of the allegations of misbehavior to the subject reporter and shall require the reporter to submit a written response within twenty (20) days after the copy is sent or delivered. The board may extend the time for a response at the reporter's request, but the extension shall not be for more than thirty (30) days.

(3) INTENT NOT TO PURSUE; NOTICE. After reviewing the allegations and the Reporter's response thereto, if any, the board may determine the allegations do not assert grounds for discipline or that the claim is so trivial that discipline would be unwarranted even if the allegations were true. In such case, the board shall notify the complainant and the respondent Reporter in writing that the matter will not be pursued further and the reasons therefor.

(4) FORMAL COMPLAINT; NOTICE AND COMPLAINT TO REPORTER; SETTING HEARING DATE. After reviewing the allegations and the reporter's response thereto, if any, the board may determine that the facts alleged would be grounds for discipline, if proved. In such case, the board shall notify the respondent reporter of such determination and set a hearing date, which date shall not be less than thirty (30) days and not more than sixty (60) days from the certified mailing or hand delivery of the formal complaint and notice unless the time is extended by written request of the respondent reporter.

(5) REPORTER'S ANSWER TO COMPLAINT. Within twenty (20) days after the complaint is mailed to the respondent reporter, the respondent reporter shall reply to the complaint by hand delivery or certified mailing of seven copies of an answer to the board. The answer shall specifically admit or deny the facts

alleged in the complaint and shall assert all defenses the respondent reporter intends to assert. Failure to answer the complaint will be deemed an admission of any facts stated therein.

(6) DISCLOSURE OF EVIDENCE. Within five (5) days after the reporter's answer is filed, the board shall submit to the respondent reporter: (i) copies of all documents to be presented as evidence against the respondent reporter, (ii) the names of all witnesses who will be called to testify before the board, and (iii) a list of all physical exhibits to be introduced in evidence before the board. Within five (5) days thereafter, the respondent reporter shall likewise submit to the board copies of all documents the respondent reporter will introduce into evidence, along with the names of all witnesses the respondent reporter will call to testify and a list of all physical exhibits to be introduced in evidence.

(d) Hearing.

(1) CONDUCT OF HEARING PROCEEDINGS; EVIDENCE; STANDARD OF EVIDENCE. The board shall conduct the hearing in confidential session unless the respondent reporter requests that the hearing be open to the public. The respondent reporter shall be entitled to be present at all proceedings in which evidence is taken, but no session shall be postponed because the respondent reporter, having had notice the hearing would be conducted, fails to attend. The board may administer oaths or affirmations in matters before them. The board may compel by subpoena the attendance of witnesses and the production of evidence, including pertinent books, papers, documents, tape recordings, computer records or other digital media. The board members shall hear evidence from complainant and respondent reporter and witnesses, as necessary. The board may, by majority vote, decline to hear or consider any evidence not disclosed prior to the hearing as provided above. Violations of the Rules Governing Court Reporting in the State of Hawai'i shall be found only upon clear and convincing evidence, but the Hawai'i Rules of Evidence shall not apply and the board may consider all trustworthy evidence.

(2) BOARD FINDINGS, CONCLUSIONS AND RECOMMENDATIONS. Within thirty (30) days after the conclusion of the hearing on the complaint, the board shall, by majority vote, enter written findings of fact; conclusions as to which rules, if any, the respondent reporter violated; and recommendations

for proposed discipline, if any. Notice of board findings, conclusions and recommendations shall be sent by certified mail to the respondent reporter, each board member and the Supreme Court Clerk.

(3) **FINALITY.** The board's findings and recommendations are final and shall not be subject to further review except by the Supreme Court.

(e) Supreme Court Review and Decision. The Supreme Court shall not entertain briefs or oral argument except: (i) within its discretion upon application of the respondent reporter submitted within ten (10) days after the written findings of fact are filed with the Supreme Court Clerk; or (ii) upon request of the Supreme Court. If an application to submit briefs or to entertain oral argument is granted, the Supreme Court shall set the dates for submission of briefs or oral argument, if any. As in all other matters before the Court, the Court may issue opinions or orders or may adopt and publish the written findings and recommendations contained in the board's notice thereof.

(Added April 25, 2003, effective July 1, 2003.)

Rule 11. RESERVED.

Rule 12. GRANDFATHER CERTIFICATION.

An in-court reporter with more than one year of work experience on March 1, 1984, may be certified on submission of a recommendation letter from the office of the state court administrator. A freelance reporter with more than one year of work experience on March 1, 1984, may be certified on submission of recommendation letters from four lawyers. A reporter so certified may nevertheless take the test without penalty for failure.

Rule 13. FEES.

(a) The fee for application for certification and administering the written knowledge test is \$125.

(b) The fee for machine skills testing is determined by National Court Reporters' Association and payable to that entity. The board administers the test for National Court Reporters' Association in May and November of each year.

(c) Annual renewal fees are \$50.

(d) Payment of each reporter's annual renewal fee shall be received by the board not later than January 31 of each calendar year.

(e) The certification of any reporter whose annual renewal fee shall not have been received by January 31 shall forthwith be suspended without prior notice. The board shall give written notice to any reporter so suspended.

(f) Any certification that shall have been suspended for failure of timely payment of fees may be reinstated in and for the same calendar year as the year of suspension by payment of those fees plus a late fee of 100 percent of those fees. The board shall require the reporter to submit a letter of explanation.

(g) Any suspension of certification under this rule that continues through December 31 of the calendar year of such suspension shall result in revocation of certification. The board shall give written notice to any reporter whose certificate is so revoked.

(Amended April 25, 2003, effective July 1, 2003.)

Rule 14. DISCLOSURE.

Any person holding a certificate under these rules shall disclose, on the record in every deposition taken, the complete arrangement, financial and otherwise, made between the reporter or the agency making arrangements for the reporter's services and the attorney or other person making such arrangements with the reporter or agency.

Any person holding a certificate under these rules and any reportorial service by which such person is employed shall, when the bill for the deposition or depositions in question is submitted to each of the attorneys or other organizations ordering the deposition and any copies thereof, set forth on the face of the bill any consideration paid, given or agreed to be paid or given by the person or reportorial service in any form. Any attorney billing a client for such deposition or copy shall supply the information required to be disclosed on the person's or reportorial service's bill to the client in the attorney's billing and, in the event the costs of the deposition are sought to be recovered in any action, shall include the same information in any bill of costs supplied to the court.

(Amended March 6, 1986, effective March 6, 1986; further amended August 22, 1986, effective August 22, 1986; further amended November 10, 1992, effective November 10, 1992; further amended June 24, 1996, effective July 1, 1996; further amended April 25, 2003, effective July 1, 2003.)

Rule 15. REINSTATEMENT.

(a) Application; restrictions. Any reporter whose certification has been suspended, other than for late payment of dues, or revoked may seek reinstatement by reapplying for certification under Rule 9.1, provided, however, that (i) no application for reinstatement shall be considered until the expiration of the times set out in parts (b) and (c) below, and (ii) no reporter who has been suspended or whose certification has been revoked in a foreign jurisdiction and who has not been reinstated there may apply for reinstatement in Hawai'i.

(b) Time. A reporter whose certification was revoked for failure to meet continuing education requirements may be reinstated upon meeting the requirements. A reporter whose certificate has been revoked for other disciplinary reasons may not seek reinstatement until the expiration of at least two (2) years after the date the reporter's certificate was revoked.

(c) Standard of proof. A reporter seeking reinstatement of certification for other than nonpayment of fees or failure to meet CEU requirements must demonstrate, by clear and convincing evidence, rehabilitation; fitness to practice; compliance with all applicable rules and disciplinary orders; and compliance with any other rules or requirements imposed by the supreme court, and shall include payment of a new application fee and demonstration of machine skill proficiency pursuant to Rule 9.1(b)(3) of these Rules.

(Amended November 10, 1992, effective November 10, 1992; further amended April 25, 2003, effective July 1, 2003.)

Rule 16. BACKGROUND INFORMATION ON NEW APPLICANTS.

To determine the applicant is of good moral character, every applicant must set forth the applicant's name, last place of residence, the term of the applicant's schooling, the name of each reporting institution the applicant attended or graduated from, and with what degree. The applicant shall set forth the names of all licensing authorities that the applicant has received certification from and the dates the applicant was admitted to practice as a certified shorthand reporter, registered professional reporter, or other recognized certification. The applicant shall also set forth any and all court and

freelance firms with whom the applicant has been associated and the dates of association. The application shall set forth whether the applicant has been the subject of any investigation or proceeding for professional misconduct or whether the applicant has ever been rejected upon application to practice reporting before any court or other reporting entity. The cost of a character report or investigation, if required, shall be borne by the applicant.

(Added November 10, 1992, effective November 10, 1992; further amended April 25, 2003, effective July 1, 2003.)

Rule 17. SCHOOLS.

The board shall be authorized to adopt rules and regulations to prescribe minimum qualifications for court reporting educational institutions.

(Added November 10, 1992, effective November 10, 1992.)

Rule 18. NONLICENSED ACTIVITY.

Any entity offering court reporting services intended to be filed in any judicial proceeding in the State of Hawai'i must be (i) a duly certified Hawai'i certified shorthand reporter or (ii) must designate a Hawai'i certified shorthand reporter who is a resident of the State of Hawai'i as "Managing CSR" to be accountable to the board for the entity's actions.

(Added November 10, 1992, effective November 10, 1992; further amended April 25, 2003, effective July 1, 2003.)

Rule 19. OFFICIAL TRANSCRIPT RATES.

(a) Government Rates. An official court reporter may charge the following per page rates for the court reporter's service in preparing transcripts for which the State of Hawai'i or a political subdivision of the State of Hawai'i or the United States bears the responsibility of payment:

	Original per 25 line page	Copies per 25 line page
1. Transcripts prepared for an appeal	\$1.75	\$0.60
2. Transcripts prepared during the course of a trial (except expedited and hourly transcripts)	\$2.25	\$0.90
3. Expedited transcripts	\$4.70	\$0.90
4. Hourly transcripts	\$6.00	\$0.90

(b) Non-Government Rates. An official court reporter may charge the following per page rates for the court reporter's service in preparing transcripts for which a non-government entity or person is responsible for payment:

	Original per 25 line page	Copies per 25 line page
1. Transcripts to be delivered within 60 (sixty) days after receipt of an order	\$2.00	\$0.90
2. Transcripts to be delivered within 40 (forty) days after receipt of an order	\$2.50	\$0.90

3. Transcripts to be delivered within 2 (two) weeks after receipt of an order	\$3.00	\$0.90
4. Transcripts to be delivered within 3 (three) days after receipt of an order	\$3.75	\$0.90
5. Transcripts to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it actually be a court day, after receipt of an order	\$4.70	\$0.90
6. Transcripts of proceedings ordered under unusual circumstances to be delivered within 2 (two) hours after receipt of an order	\$6.00	\$0.90

(c) Definitions. For purposes of this Rule 19,

(1) "during the course of a trial" means any transcript prepared before a notice of appeal is filed, except expedited and hourly transcripts;

(2) "expedited transcript" means any transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning, whether or not it actually be a court day, after receipt of an order;

(3) "hourly transcript" means any transcript to be delivered within 2 (two) hours after receipt of an order.

(d) Payment. Parties must pay for all transcripts ordered and completed before the order is canceled. A court may order such payment from a party or the party's attorney.

(e) Sanctions. Any judge or justice may, after order to show cause and failure to show good cause, sanction any reporter for the reporter's failure to timely complete transcripts and for violations of court rules or orders. Sanctions may include, but are not limited to, monetary sanctions.

(Added June 24, 1996, effective July 1, 1996; further amended October 7, 1997, effective October 7, 1997; further amended October 21, 1997, effective October 21, 1997; further amended April 25, 2003, effective July 1, 2003.)

Rule 20. ADVISORY OPINIONS.

The board may respond to requests for advisory opinions in such manner as it may deem appropriate. No advisory opinion shall be binding upon the board. Any advisory opinion may be given such circulation as the board may deem appropriate, but the identity of the person or organization requesting such advisory opinion shall be kept confidential.

(Added April 25, 2003, effective July 1, 2003.)

EXHIBIT A (Deleted)

(Amended April 25, 2003, effective July 1, 2003.)

EXHIBIT B (Deleted)

(Amended April 25, 2003, effective July 1, 2003.)

FORM 1

APPLICATION FOR CERTIFICATION

HAWAII BOARD OF CERTIFIED
SHORTHAND REPORTERS
777 Punchbowl Street
Honolulu, HI 96813

Examination and Certification Fees

The Hawai'i Certified Shorthand Reporter (CSR) Examination is a nationally standardized exam comprised of the following: the National Court Reporters Association (NCRA) Written Knowledge Test covering English grammar, spelling, technology, and medical and legal terminologies; the NCRA RPR Skills Test comprised of fifteen minutes of dictation, five minutes each of Literary material at 180 wpm, Jury Charge material at 200 wpm, and Testimony material at 225 wpm; the Hawai'i Written Knowledge Test covering regional terminology. A passing score is an accuracy rate of 95 percent for the Skills Test and 70 percent for the Written Knowledge Test.

Each applicant for certification must complete the following application. Appropriate fees must be included in order for your application to be processed. Make check payable to Chief Clerk, First Circuit Court and remit to the above address.

Application Fee \$125.00
(Exam first Saturday in May and November)

Name _____
Residence Address _____
City/State/Zip _____
Workplace Name and Address _____
City/State/Zip _____
Phone Numbers: Office () _____ Residence () _____

Please use residence [] or workplace [] address for correspondence. **(Please note that your mailing address is public information and, as such, may be provided to members of the public.)**

RULES GOVERNING COURT REPORTING

Form 1

1. Please list educational and professional training institutions attended, graduated from, and degrees earned beginning with high school (or GED certification). Include names of institutions and dates.

2. System of shorthand: ☐ Machine ☐ Gregg ☐ Pitman

3. Are you an Official Reporter ☐ Freelance Reporter ☐ Student ☐ Other ☐

4. Do you hold any of the following certifications:

☐ Certified Shorthand Reporter certificate by state-mandated examination.

State _____

☐ Registered Professional Reporter certificate by examination.

☐ Certificate of Merit.

5. Please list the names of all licensing authorities to which you have made application to practice and the dates you were admitted to practice as a Certified Shorthand Reporter or Registered Professional Reporter, or obtained other recognized certification.

6. Please list all court and freelance firms with which you have been associated and the dates of association. Include addresses and telephone numbers.

7. Have you ever been the subject of any investigation or proceeding for professional misconduct

☐ Yes ☐ No If yes, please explain.

8. Have you ever been rejected, upon application, to practice reporting before any court or other entity?
[] Yes [] No If yes, please explain.

9. Have you ever had a CSR license suspended or revoked? [] Yes [] No
Was it reinstated? [] Yes [] No If yes, please explain.

NOTICE: The cost of a character report or investigation, if required, shall be borne by the applicant. Please attach copies of all current certificates and licenses.

ATTESTATION

I attest under penalty of perjury that the above information is true and correct, and, upon certification, I affirm that I will uphold all of the provisions of the Rules Governing Court Reporting in the State of Hawai'i and any rules and regulations adopted by the Hawai'i Board of Certified Shorthand Reporters.

Applicant's Signature

Date

FORM 2

HAWAII BOARD OF CERTIFIED
SHORTHAND REPORTERS
777 Punchbowl Street
Honolulu, HI 96813

To the Members of the Board:

I UNDERSTAND THAT THIS LETTER IS CONFIDENTIAL AND WILL NOT BE DISCLOSED TO THE APPLICANT.

I am employed in the Office of the State Court Administrator as

_____ (title)

I hereby _____ recommend that applicant _____
(do or do not) (name)
be certified as a Hawaii Certified Shorthand Reporter.

I am familiar with the applicant's work as a shorthand reporter,
and consider the quality of work performed to be _____ .
(excellent) (satisfactory) (unsatisfactory)

I understand that I am presenting this letter in my official capacity, and I hereby certify the above to be true and correct to the best of my knowledge and information.

Signature

Title

Address

FORM 3

(date)

HAWAII BOARD OF CERTIFIED
SHORTHAND REPORTERS
777 Punchbowl Street
Honolulu, HI 96813

To the Members of the Board:

I UNDERSTAND THAT THIS LETTER IS CONFIDENTIAL AND WILL NOT BE DISCLOSED TO THE APPLICANT.

I hereby (do or do not) recommend that applicant _____ (name) _____ be certified as a Hawai'i Certified Shorthand Reporter.

I have known the applicant for _____ (number of months or years) _____.

I have used the applicant's personal shorthand services on approximately (#) occasions, and I consider the quality of work performed to be (excellent) (satisfactory) (unsatisfactory) _____.

As of this date, I (including the firm I am associated with) am indebted to the applicant, and/or any other reporter with whom the applicant is directly associated, in the amount of \$_____. (If none, so state.)

I am a licensed attorney in good standing in the state of _____.

I hereby certify the above to be true and correct to the best of my knowledge and information.

Signature_____
Address_____
()
Telephone No.

(Rev. 04/03)

FORM 4

Pursuant to Rule 14 of the Rules Governing Court Reporting in Hawai'i, I hereby make the following disclosure:

1. I or my agency was hired by _____ for this deposition.
2. The complete financial arrangement between me (or my agency) and the person or organization named in paragraph 1 is:

ORAL DEPOSITIONS

Appearance fee per half day	\$ _____
Reporting fee (if no transcript)	\$ _____
Original + one copy of transcript	\$ _____ per page
One copy of transcript	\$ _____ per page
Two copies exhibits (one for court)	\$ _____ per page
Copy of exhibits	\$ _____ per page
Extra charge for medical/technical	\$ _____ per page
Expedited copy charge	\$ _____ per page
Daily copy charge	\$ _____ per page
Signature fee	\$ _____ per depo
Storage fee for original	\$ _____ per depo
Notice & Subpoena Preparation Service	\$ _____

WRITTEN INTERROGATORY DEPOSITIONS

Appearance fee	\$ _____
Reporting fee (if no transcript)	\$ _____
Original + one copy of transcript	\$ _____ per page
One copy of transcript	\$ _____ per page
Pickup fee	\$ _____
Signature fee	\$ _____
Storage fee for original	\$ _____ per depo
Two copies records (one for court)	\$ _____ per page
_____	\$ _____
_____	\$ _____
Sold copies records	\$ _____ per page
_____	\$ _____
_____	\$ _____
Notice & Subpoena Preparation Service	\$ _____

OTHER

(include value of goods or services provided to the reporter)

_____ \$ _____

_____ \$ _____

_____ \$ _____

3. The fees and charges specified in Paragraph 2 (are/are not) the usual and customary charges made by me or my agency for like services to other persons. If not, specify why not:

4. If a financial or services discount for this or any future deposition will or might in any way be given to the person named in Paragraph 1, after this deposition is completed, state what that discount will or may be. (If none, so state.)

I certify the foregoing to be a complete, true and correct disclosure to the best of my knowledge and information.

Date _____ Signed _____ CSR # _____